

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Keith Donald Franklin,)	C/A No.: 3:22-737-MGL-SVH
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Morgan Properties Payroll)	
Services,)	
)	
Defendant.)	
)	

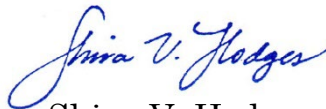
Plaintiff, proceeding pro se and in forma pauperis, brought this action against defendant Morgan Properties Payroll Services. On October 12, 2022, Defendant filed a motion to dismiss as a sanction for Plaintiff's alleged failure to meaningfully participate in discovery. [ECF No. 43]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by November 14, 2022. [ECF No. 44]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff failed to respond to Defendant's motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon his claims against Defendant. Based on the foregoing, Plaintiff is

directed to advise the court whether he wishes to continue with this case and to file a response to the motion by December 5, 2022. Plaintiff is further advised that if he fails to respond, the undersigned will recommend this case be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

November 21, 2022
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge